

**H. B. 3108**

(By Delegates Campbell, Ellington, Morgan  
and Perdue)

[Introduced March 25, 2013; referred to the  
Committee on Health and Human Resources then the  
Judiciary.]

A BILL to amend the Code of West Virginia, 1931, as amended, by  
adding thereto a new section, designated §16-5C-21, relating  
generally to nursing homes; requiring a professional licensee  
applying for work or working in a nursing home to meet the  
criminal background check standard to obtain licensure to work  
in a nursing home.

*Be it enacted by the Legislature of West Virginia:*

That the Code of West Virginia, 1931, as amended, be amended  
by adding thereto a new section, designated §16-5C-21, to read as  
follows:

**ARTICLE 5C. NURSING HOMES.**

**§16-5C-21. Professional Licensee.**

A person licensed under chapter thirty of this code and  
applying for work or working in a nursing home shall only be  
required to meet the criminal background check standard established

1 to obtain licensure in order to work in a nursing home. If a  
2 criminal background check standard is not established for that  
3 profession under chapter thirty of this code, the department shall  
4 implement a criminal background check standard by proposing a rule  
5 for legislative approval in accordance with the provisions of  
6 article three, chapter twenty-nine-a of this code.

NOTE: The purpose of this bill is to implement a criminal background check standard that is consistent to obtain licensure and to work in a nursing home.

§16-5C-21 is new; therefore, it has been completely underscored.